

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 053466/0201

In re patent application of

Tadamitsu KISHIMOTO

Group Art Unit: 1642

CPA of Serial No. 08/817,507

Examiner: J. Burke

Filed: January 18, 2000

For: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF
DISEASES CAUSED IL-6 PRODUCTIONPRELIMINARY RESPONSEAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This responds to the outstanding Advisory Action mailed October 6, 1999. In the event that this petition or fee is deficient or absent, please consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.18 from Account no. 19-0741.

REMARKS

In accordance with the amendment filed in the parent application which has now been entered as a result of filing the present CPA, and based upon the following remarks, favorable reconsideration of the application is courteously solicited.

1. Rejection under 35 U.S.C. § 103

Claims 15-28 are rejected as allegedly being obvious over Suzuki as evidenced by Robbins and HarpersCollins Illustrated Medical Dictionary (1993) and further in view of Sato *et al.*, Cancer Research, 53: 851-856 (1993) ("Sato"). Reconsideration of the rejection is respectfully requested.

Since it is allegedly obvious to treat cancer with PM-1 or reshaped PM-1, the rejection maintains that it is obvious to treat cachexia, which the secondary references